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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

RESIDENTIAL CAPITAL, LLC, et al.,

Debtors.

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Case No. 12-12020 (MG)

Chapter 11

Jointly Administered

**MOTION TO ENLARGE TIME TO FILE OBJECTIONS TO CONFIRMATION OF
DEBTORS' PLAN AND MOTION FOR RELIEF**

TO THE HONORABLE MARTIN GLENN,
UNITED STATES BANKRUPTCY JUDGE

Philip Roger Flinn, II ("Flinn"), respectfully submits this Motion to Enlarge Time to File
Objections to Confirmation of Debtors' Plan.

Flinn requests additional time within which to submit his **Objections to Confirmation of
Debtors' Plan and Motion for Relief** until October 22, 2013, for the reason that Flinn's counsel
has a small two lawyer firm, which is involved in a large complex litigation before the Federal Court
in the Eastern District of Texas as well as this related matter in this Bankruptcy Court in the
Southern District of New York, as well as other cases. Flinn's counsel has found it extremely
difficult to navigate through the voluminous filings with respect to the Plan in order to determine
the effect of the Plan on Flinn. Accordingly Flinn's counsel requests until October 22, 2013 to file

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of Debtors' Plan and Motion for Relief, Page 1 of 3

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Objections to Confirmation of Debtors' Plan and Motion for Relief that was filed on October 22, 2013 in Doc. 5422.

ARGUMENT AND AUTHORITIES

Under Rule 15 of the Federal Rules of Civil Procedure leave to amend "shall be freely given when justice so requires." "A decision to grant leave is within the discretion of the Court, although if the Court takes a substantial reason to deny leave, its discretion is not good enough to permit denial." *U.S. v. Cardinal Health, Inc.*, 625 F.3d 262, 271-72 (5th Cir. 2010) (quoting *State of La v. Litton Mortg. Co.*, 50 F.3d 1298, 1302-03 (5th Cir. 1995)). Substantial reason to deny leave may exist due to undue delay, bad faith or dilatory motive, repeated failure to cure deficiencies, undue prejudice to the opposing party, or futility of a proposed amendment. See *Rosenblatt v. United Way of Greater Houston*, 607 F.3d 413, 419 (5th Cir. 2010 (citing *Forman v. Davis*, 371 U.S. 178, 182 (1962)).

Leave is sought not for bad faith but to provide a full understanding to the Court of the objections to the Plan.

Dated: Addison, Texas

October 21, 2013

Respectfully submitted

/s/ Judith P. Kenney
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